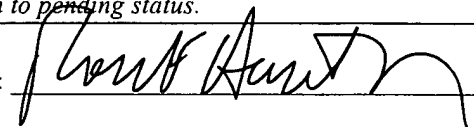



Customized FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY DOCKET NO. P07361US00/RFH
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. <i>(If known, see 37CFR 1.5)</i> 09/914,564
INTERNATIONAL APPLICATION NO. PCT/AU00/00149	INTERNATIONAL FILING DATE 03 MARCH 2000	PRIORITY DATE CLAIMED 04 MARCH 1999
TITLE OF INVENTION: WIRELESS SLEEP MONITORING		
APPLICANT(S) FOR DO/EO/US: SASSE, Anthony C.		
<p>Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> 1. This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> 2. This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 USC 371.</li> <li><input type="checkbox"/> 3. This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Art. 22 and 39(1).</li> <li><input type="checkbox"/> 4. A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.</li> <li><input type="checkbox"/> 5. A <b>copy</b> of the International Application as filed (35 U.S.C. 371 (c)(2)) <ul style="list-style-type: none"> <li><input type="checkbox"/> a. is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> b. has been transmitted by the International Bureau.</li> <li><input type="checkbox"/> c. is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </li> <li><input type="checkbox"/> 6. A <b>translation</b> of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li><input type="checkbox"/> 7. Amendments to the claims of the International Appln. under PCT Article 19 (35 USC 371 (c)(3)) <ul style="list-style-type: none"> <li><input type="checkbox"/> a. are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> b. have been transmitted by the International Bureau.</li> <li><input type="checkbox"/> c. have not been made; however, the time limit for making such amendments had NOT expired.</li> <li><input type="checkbox"/> d. have not been made and will not be made.</li> </ul> </li> <li><input type="checkbox"/> 8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> 9. An <b>oath</b> or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> 10. A translation of the annexes to the Int'l Prelim. Exam. Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ul> <p><b>Items 11. to 20. below concern document(s) or information included:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> 11. An <b>Information Disclosure Statement</b> under 37 C.F.R. 1.97 and 1.98.</li> <li><input type="checkbox"/> 12. An <b>Assignment</b> document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input type="checkbox"/> 13. A <b>First preliminary amendment</b>.</li> <li><input type="checkbox"/> 14. A <b>Second or Subsequent preliminary amendment</b>.</li> <li><input type="checkbox"/> 15. A substitute specification.</li> <li><input type="checkbox"/> 16. A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 &amp; 35 USC 1.821-825.</li> <li><input type="checkbox"/> 18. A second copy of the published international application under 35 USC 154(d)(4).</li> <li><input type="checkbox"/> 19. A second copy of the English translation of the international application under 35 USC 154(d)(4).</li> <li><input type="checkbox"/> 20. Other items or information: <ul style="list-style-type: none"> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> </ul> </li> </ul> <p><input checked="" type="checkbox"/> A copy of the Notification of Missing Requirements under 35 U.S.C. 371.</p> <p><input type="checkbox"/> In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this response, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized in 17(c).</p>		
Date: 15 November 2001		

U.S. APPLICATION NO. <i>(if known)</i>		INTERNATIONAL APPLICATION NO. PCT/AU00/00149		ATTORNEY DOCKET NO. P07361US00/RFH											
<input type="checkbox"/> 21. The following fees are submitted: <input type="checkbox"/> <b>Basic National Fee</b> (37 CFR 1.492 (a) (1)-(5): <table style="width: 100%; margin-top: 5px;"> <tr> <td><input type="checkbox"/> Neither Int'l Prelim. Exam. fee nor Int'l Search fee paid to USPTO</td> <td style="text-align: right;">\$1000</td> </tr> <tr> <td><input type="checkbox"/> Search Report has been prepared by the EPO or JPO</td> <td style="text-align: right;">\$ 860</td> </tr> <tr> <td><input type="checkbox"/> No Int'l Prelim. Ex. fee paid to USPTO but Int'l Search fee paid to USPTO</td> <td style="text-align: right;">\$ 710</td> </tr> <tr> <td><input type="checkbox"/> International preliminary examination fee paid to USPTO</td> <td style="text-align: right;">\$ 690</td> </tr> <tr> <td><input type="checkbox"/> Int'l Prelim. Ex. fee paid to USPTO &amp; all claims satisfied PCT Art. 33(1)-(4)</td> <td style="text-align: right;">\$ 100</td> </tr> </table>				<input type="checkbox"/> Neither Int'l Prelim. Exam. fee nor Int'l Search fee paid to USPTO	\$1000	<input type="checkbox"/> Search Report has been prepared by the EPO or JPO	\$ 860	<input type="checkbox"/> No Int'l Prelim. Ex. fee paid to USPTO but Int'l Search fee paid to USPTO	\$ 710	<input type="checkbox"/> International preliminary examination fee paid to USPTO	\$ 690	<input type="checkbox"/> Int'l Prelim. Ex. fee paid to USPTO & all claims satisfied PCT Art. 33(1)-(4)	\$ 100	CALCULATIONS <i>PTO USE ONLY</i>	
				<input type="checkbox"/> Neither Int'l Prelim. Exam. fee nor Int'l Search fee paid to USPTO	\$1000										
				<input type="checkbox"/> Search Report has been prepared by the EPO or JPO	\$ 860										
				<input type="checkbox"/> No Int'l Prelim. Ex. fee paid to USPTO but Int'l Search fee paid to USPTO	\$ 710										
				<input type="checkbox"/> International preliminary examination fee paid to USPTO	\$ 690										
<input type="checkbox"/> Int'l Prelim. Ex. fee paid to USPTO & all claims satisfied PCT Art. 33(1)-(4)	\$ 100														
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$											
<input checked="" type="checkbox"/> Surcharge of \$130 for furnishing the oath or declaration later than from the earliest claimed priority date (37 CFR 1.492(e)). <table style="float: right; margin-top: -15px;"> <tr> <td><input type="checkbox"/> 20 mos.</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> 30 mos. +</td> <td style="text-align: right;">\$ 130</td> </tr> </table>				<input type="checkbox"/> 20 mos.		<input checked="" type="checkbox"/> 30 mos. +	\$ 130								
<input type="checkbox"/> 20 mos.															
<input checked="" type="checkbox"/> 30 mos. +	\$ 130														
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>												
Total Claims	- 20 =		X \$18 =	\$											
Independent Claims	- 03 =		X \$80 =	\$											
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)			+ \$270 =	\$											
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$											
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. <table style="float: right; margin-top: -15px;"> <tr> <td style="text-align: center;">-</td> <td style="text-align: right;">\$ 65</td> </tr> </table>				-	\$ 65										
-	\$ 65														
<b>SUBTOTAL =</b>				\$ 65											
<input type="checkbox"/> Processing fee of \$130 for furnishing the English translation later than from the earliest claimed priority date (37 CFR 1.492(f)). <table style="float: right; margin-top: -15px;"> <tr> <td><input type="checkbox"/> 20 mos.</td> <td></td> </tr> <tr> <td><input type="checkbox"/> 30 mos. +</td> <td style="text-align: right;">\$</td> </tr> </table>				<input type="checkbox"/> 20 mos.		<input type="checkbox"/> 30 mos. +	\$								
<input type="checkbox"/> 20 mos.															
<input type="checkbox"/> 30 mos. +	\$														
<b>TOTAL NATIONAL FEE =</b>				\$ 65											
<input type="checkbox"/> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property <table style="float: right; margin-top: -15px;"> <tr> <td style="text-align: center;">+</td> <td style="text-align: right;">\$</td> </tr> </table>				+	\$										
+	\$														
<b>TOTAL FEES ENCLOSED =</b>				\$ 65											
11/16/2001 LLANDGRA 00000039 09914564 01 FC:254 65.00 DP				Refunded	\$										
				Charged	\$										
<input checked="" type="checkbox"/> a. A check in the amount of \$65.00 to cover the above fees is enclosed. <input type="checkbox"/> b. Please charge my Deposit Account No. 12-0555 in the amount of \$ to cover the above fees. <input checked="" type="checkbox"/> c. The Commissioner is hereby authorized to charge any additional fees required or credit overpayment to Deposit Account No. 12-0555.															
<i>Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</i>															
SEND ALL CORRESPONDENCE TO:  ROSS F. HUNT, JR.  At the address (below) of CUSTOMER NO. 00881.  <b>LARSON &amp; TAYLOR, PLC</b> <b>1199 NORTH FAIRFAX ST.</b> <b>SUITE 900</b> <b>ALEXANDRIA, VA 22314</b>			SIGNATURE:  NAME: Ross F. Hunt, Jr. REG. NO.: 24082 PHONE NO.: 703-739-4900 Date: 15 November 2001												

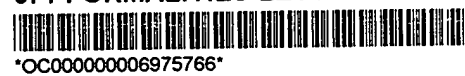
 Commissioner For Patents, Box PCT, United States Patent and Trademark Office, Washington, D.C. 20231, www.uspto.gov		
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/914,564	Anthony C. Sasse	P070361US00

00881  
 LARSON & TAYLOR, PLC  
 1199 NORTH FAIRFAX STREET  
 SUITE 900  
 ALEXANDRIA, VA 22314

INTERNATIONAL APPLICATION NO.	
PCT/AU00/00149	
I.A. FILING DATE	PRIORITY DATE
03/03/2000	03/04/1999

CONFIRMATION NO. 8345  
 371 FORMALITIES LETTER



Date Mailed: 10/26/2001

12-26-2001

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

**RECEIVED**

OCT 29 2001

LARSON AND TAYLOR

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be

mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

DEBORAH D WILLIAMS

Telephone: (703) 305-3744

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/914,564	PCT/AU00/00149	P070361US00